

# San Francisco Bay Conservation and Development Commission

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April 12, 2018

**TO:** Environmental Justice Commissioner Group Meeting

**FROM:** Clesi Bennett, Coastal Planner (415/352-3613; clesi.bennett@bcdc.ca.gov)  
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**SUBJECT: Draft Meeting Summary of April 5, 2018, Environmental Justice Commissioner Working Group Meeting**

1. **Roll Call, Introductions, and Approval of Agenda.** The meeting was called to order by Acting Chair Alvarado at the Bay Area Metro Center, 375 Beale Street, Claremont Room, First Floor, San Francisco, California, at 11:19 a.m. Working Group members in attendance included Chair Teresa Alvarado, Commissioner Sheri Pemberton and Commissioner John Vasquez. Staff in attendance included Chief Deputy Director Steve Goldbeck, Shannon Fiala, Planning Manager, Clesi Bennett, Planner, Elizabeth Felter, Planner.

2. **Review of Bay Plan Amendment Process and Draft Work Plan.** Chair Alvarado, Clesi Bennett, and Manager Shannon Fiala had welcoming remarks and introductions.

Planning Manager Shannon Fiala stated the last time we amended the San Francisco Bay Plan was back in 2011 when BCDC added climate change policies to the Bay Plan which mostly focused on considering sea level rise in project designs for shoreline projects. At the five-year anniversary of the incorporation of climate change policies into the Bay Plan the planning staff at BCDC embarked on a process to complete an assessment of the success of those policies and convened a steering committee comprised of stakeholders to think creatively about how we could push the Bay Plan even further to reflect the reality of a rising Bay. Policies for a Rising Bay is the outcome of that external, stakeholder-driven effort, which concluded that there were four major policy areas that should be prioritized through a series of Bay Plan amendments to try to reflect sea level rise. One of those was to prevent the drowning of the ecosystems to allow for increasing amounts of bay fill for habitat restoration projects. One of those was to reconsider policies related to the beneficial reuse of dredged sediment from shipping channels and so on. Third was a reconsideration of mitigation policies in light of rising sea levels. Finally, consideration of how to incorporate policies reflecting social equity and environmental justice into the Bay Plan.

## ENVIRONMENTAL JUSTICE COMMISSIONER GROUP SUMMARY

April 5, 2018

The policy analysis that came out of Policies for a Rising Bay Project on environmental justice and social equity raised concerns focused mostly on Bay Plan policies related to shoreline protection and thinking about the unintended impacts of one community's shoreline protection on adjacent communities, as well as working within the limitations of the Commission's authority in the shoreline band, which is restricted to enforcing maximum, feasible, public access. Stakeholders also noted that BCDC could improve its engagement of vulnerable or disadvantaged communities in BCDC's permitting processes.

Then staff segued from that external, grant-funded project into BCDC's commissioner workshop process in order to continue to take the next step to pursue Bay Plan amendments that had been identified through Policies for a Rising Bay. Starting in 2016 there were a series of 10 public workshops held at Commission meetings that culminated in the approval of this series of Bay Plan amendments over the course of about five years. The first that were prioritized were the social equity and environmental justice statement as well as allowing fill for habitat restoration.

Ms. Bennett continued: So the amendment process is going to follow the work plan that we sent out last week. The first two steps are understanding the situation and scoping the problem and doing some background research. That is where we are right now. We will start some various feedback loops by engaging different groups including this Commissioner Working Group as well as through public workshops, the creation of an advisory committee and our staff project team where we will identify the problems and begin to draft policy. Once we complete that phase then we will develop that planning report and take it to a public hearing, incorporate those comments to give our recommendation and eventually bring the amendment for administrative law review. We are hoping that our hearing will be in November.

Ms. Fiala added: Our regulations require that we state the date up front. When the Commission decided to initiate the amendment in July 2017 the date was initially set to May 3<sup>rd</sup>, 2018. We just revised the notice to amend the hearing date to mid-November.

Ms. Bennett continued her presentation: Our draft project goal at the moment is to amend the San Francisco Bay Plan to incorporate principles of environmental justice and social equity into the planning, design and permitting of projects in and along the San Francisco Bay. This is something we hope we can discuss with you all after this presentation if you have an editing suggestion of how we could improve this. We are going to have a large, public-engagement piece to this amendment and any changes that we do end up making into policy we want to be rooted in needs that are identified by the public especially members of different environmental justice and disadvantaged communities.

Here you see a list of different options that we may choose to engage in when we design our engagement strategy and likely we will do a number of these things. This is something else that we hope after this presentation we can discuss what options you all may have had experience in or have seen work well. Another thing that we are keeping in mind while we design the strategy is that we have limitations with our jurisdiction and authority but

also with resources and our timeframe as well. With that we are hoping to leverage other regional and state resources and our own staff. Something that we have been working on recently is coordinating with other state agencies. We have talked to about half of the agencies on this list about how they are going about their community outreach and public engagement strategies and what are some best practices, how can we coordinate with the other Bay Area regional agencies on setting up workshops or meetings.

As well, we have our own in-house resources that we hope to leverage. Our Adapting to Rising Tides Program (ART Program) is right now embarking on a project to analyze sea level rise vulnerability throughout the entire region for Caltrans and ABAG/MTC. Elizabeth has been working on identifying where these disadvantaged communities are through a set of indicators that came out of another past planning initiative between BCDC and ABAG called 'Safer Housing, Stronger Communities.' The ART Program throughout the next couple of months is going to be conducting workshops and other engagement opportunities in some of these communities. We hope to coordinate with that side of staff as well on how to best incorporate public needs into this amendment.

These are the sections in the Bay Plan that were identified for potential amendments and were included in the brief descriptive notice from last July. We are also working with our own staff in the regulatory department with what other areas could be potential for amendments as well. In discussions with regulatory staff as well as the ART team and BCDC's Government Alliance on Race and Equity Cohort several other processes and policies have come up that could benefit from the integration of environmental justice and social equity that wouldn't necessarily be included in the Bay Plan amendment and this may include things like the permit application or design guidelines or hiring practices and workforce development. Our next step is to round out our background research and our scoping to begin to create our public engagement strategies or connecting with members of our advisory committee on how best to go about doing that.

We have a few questions for discussion. If you have any questions on any of the stuff we have talked about, the process or the work plan; any ideas on the advisory committee or on the public engagement strategy let us know. We are also hoping to pick your brains about any BCDC projects or other projects that you have seen around the Bay Area that have environmental justice or social equity considerations so we can get a grounding of what this could look like. That is what we have for you today.

Commissioner Vasquez had a definition question: I know there was a lot of discussion about what that was supposed to mean but did the Commission ever decide on a definition of what environmental justice and social equity means to, in the case of BCDC as a Commission, what would you be looking at?

Ms. Fiala answered: We do have a definition, but we did not include it in the presentation. We have also been developing a definition through the Adapting to Rising Tides Bay Area Regional Vulnerability Assessment which is looking at the specific vulnerability of disadvantaged communities.

Planner Elizabeth Felter commented: In the ART Program we have used only socio-economic indicators. We are only looking at census data. We have looked at an awkwardly-long sentence that cites characteristics that may impact community or individual ability to respond to, prepare for or recover from a flood. At a previous briefing we had a staff member build off of this definition. There was a discussion from the Commissioners about including environmental hazards. We looked at what other hazards should be considered.

Ms. Fiala added: The definition that was developed as part of the Policies for a Rising Bay is that disadvantaged communities are included but not limited to areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects and exposure in environmental degradations or areas with concentration of people that are of low-income, high unemployment, low levels of homeownership, high rent burden, sensitive populations or other low levels of educational attainment.

The definition of environmental justice that was defined by California state law is the fair treatment of people of all races, cultures, incomes with respect to development, adoption, implementation and enforcement of environmental laws, regulations and policies. We are relying on the stated definition.

Commissioner Vasquez chimed in: That is a big statement. It is easy for us as Commissioners to say, that is what we are going to do. But I'm not the one that is going to be implementing it. I'd like to hear about how staff thinks that would be worked into their day-to-day work. When a project comes forward how would you view that paragraph and what it means to you? We sit on lots of organizations that have different responsibilities. I am constantly taking my hat off and saying, okay; what am I supposed to be doing as a BCDC Commissioner – and that is one role. As an Air Board member or anything else responsibilities vary. The words get tossed around enough and it is not always clear what we are supposed to be doing with it. What does it mean? Is it regulatory? Is it trying to help? Is it trying to find funds? Or is it just an awareness that we know that there is an area that needs to be looked at a little more seriously? And then, how does that trickle down to the Board of Supervisors in this case or the city council?

Commissioner Pemberton commented: Some of the answers to those questions would come from the public engagement and hearings in the communities. The needs will vary.

Commissioner Vasquez asked: But does the community know it? You're talking about social or environmental justice; does the community really know that it has trouble?

Commissioner Pemberton continued: The advocates for areas will define what the issues are for their neighborhoods or areas.

Chair Alvarado commented: My question is more global to the process. If this was identified as one of the priorities for the policy change; what was the driver for that and who did it come from? Given our short timeframe I feel that we really have to go with whatever the state definition is because we could spend months and months just vetting definitions. We have a lot to produce.

Commissioner Pemberton agreed: I think I agree with that. And maybe there is a way to capture if we use that state definition but talk about disadvantaged and marginalized communities.

Commissioner Vasquez added: I remember discussions at the Commission about this, but I never thought it got fully addressed.

Chief Deputy Director Steve Goldbeck commented: Staff can go back and based upon the information that Commissioner Gioia and the other Commissioners probably would recast our working definition. But I don't remember what we landed on, so we should bring that back.

Ms. Bennett stated: A lot of agencies and groups are using the state definition of environmental justice. They are identifying disadvantaged or vulnerable or economically-disadvantaged communities more specific to their agencies.

Commissioner Vasquez continued: I would like to see a little bit tailored to what we do as an agency so as a Commissioner I know what my role is.

Chair Alvarado added: So we really need that and can approve it at the next meeting.

Ms. Fiala read the statement of environmental justice into the record: Environmental justice is the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies.

Mr. Goldbeck commented: So it seems pretty broad and what we need to do is say, in the context of the Commission here is what we want to focus on.

Ms. Fiala stated: We were trying to get at this through the draft goal of this amendment. We could discuss that as well.

Chair Alvarado chimed in: I think the definition will articulate what this really means. Anything else on the first part of the presentation?

Ms. Felter had a question: So using the state definition for environmental justice and then coming up with a more specific definition of what a disadvantaged community is relative to BCDC – is that what it is?

Ms. Fiala responded: My understanding is that we were tailoring this definition of environmental justice to BCDC's work.

Ms. Felter continued: And does that include social equity?

Ms. Fiala answered: It doesn't mention social equity.

Ms. Bennett commented: So perhaps we could come up with some definitions for these that are specific to our context for the next meeting.

Chair Alvarado added: But hopefully not totally unique that you are going to spend the kind of time drafting it. We are one of the last agencies that are addressing this issue. EPA has been talking about EJ for 20 years or so. Hopefully we will have some good basis for this.

Commissioner Vasquez shared the following: I was at a workshop yesterday for climate change and one of the individuals there was from a Native American tribe up north and they have one of the largest land holdings in the state of California. He said, we have been left out of this whole discussion and yet we have been taking care of the land for thousands of years. And based on how we take care of it, that is some consideration of how this should be looked at. They manage their land responsibly because it is sacred to them. I bring this up because we tend to focus in on what we think is the problem as opposed to opening it up and saying, okay – who is part of this and who needs to be listened to and talked to?

Commissioner Pemberton added: I think that is a very sensitive area and you should flag that.

Ms. Bennett stated: One of the things I wanted to bring up is that we don't have any kind of tribal liaison or representative on here and this list was made through Policies for a Rising Bay and the commissioner workshops and some of the other groups that have been involved in the ART Program and the Resilient by Design process. You are right. They have been left out of the discussion and that is why we don't have contact information.

Mr. Goldbeck commented: I just got a list from the State Coastal Conservancy who has been outreaching to a few Bay Area tribal groups for their projects. We have a contact list of folks that we should ask them, are you folks interested?

Chair Alvarado added: DWR also has a staff person whose full-time job is tribal outreach. You could reach out to her and she has a list of all the tribal representatives in the area. And the Bay Area has the largest Native American population that is non-reservation based. On the public engagement stuff what about surveying of some sort? We should look at anything that doesn't require people to come to us and that we could go to them in some way.

Ms. Fiala stated: And that is a technique that we have used through our Adapting to Rising Tides Program.

Chair Alvarado had a question: Going through the disadvantaged communities list; are there other sources that we can validate this with?

Ms. Felter replied: There are other sources and an updated list in terms of what we are focusing on in the ART Project right now. That comes from looking at a couple of other community vulnerability screening methods like how the Air District looks at vulnerable communities, how MTC looks at vulnerable communities, Cal-Enviro Screen and then also we

have started incorporating a screening tool from U.C. Berkeley on displacement risks. This is a tricky topic to address in a regulatory context, but we are using that in our non-regulatory planning work.

Ms. Felter added: So this list of specific locations is not a finalized list of disadvantaged communities in the Bay Area.

Chair Alvarado chimed in: Given our jurisdiction I would not want it to expand to any population that is subject or at risk of displacement anywhere in the nine-Bay Area region. I worry about it getting too broad.

Ms. Felter replied: It is Bay-adjacent communities. We are not looking at Livermore let's say.

Mr. Goldbeck added: The interesting thing is the Bay Area Regional Collaborative umbrella group which BCDC is a part of along with MTC and ABAG and the Air Board; I was just looking at these maps and we have worked with the folks on putting this together and doing an analysis because everybody and every one of these agencies has a different map. We were looking at a way we could all sort of agree instead of everybody having a different map which makes sense but there are also reasons to differ because the Air Board is looking at air basins and some folks are looking at grants where we are looking at a regulatory and a planning perspective. We definitely are mindful of that and we are trying to figure out why if they remain different there is a rationale for it. We don't want this group to focus on that, but it is important to understand.

Ms. Felter added: The overlay mapping that we did looking at how other regional agencies map their own communities and the overlap is significant. The communities that are designated as disadvantaged by the Air District, many of those are also designated as disadvantaged by MTC. It's a lot of the same areas.

Commissioner Vasquez had questions: The San Francisco Bay Restoration Authority; a lot of our commissioners also serve on that. Will they be looking at this too? Because when you have to do work to try to leave hardened facilities around the community, how is that funding going to tie into each other?

Ms. Bennett stated: They have also created a set of maps with a set of indicators. It draws some from our indicators, some from the others; there is a mix of a lot of overlapping areas. Within their grant program one of their prioritization criteria is benefitting economically-disadvantaged communities. They worked with their advisory committee on how to define that. Their applicants have to demonstrate that when they bring forward programs.

Chair Alvarado chimed in: Given the sensitive nature of the topic of this committee we should be clear everywhere in noting our sources because it is never going to be perfect. At least if we can say, this is what we were thinking and this is the first process and it can be improved the next time around.

Mr. Goldbeck added: We can show the maps next time and it is interesting.

Chair Alvarado asked: Anything else on processes, policies? When should we start outreach?

Ms. Fiala replied: We need to get your insight on the advisory committee and on the public engagement strategies in general. We hope to immediately start working on convening that committee as soon as we get your advice. We have merged two lists: people who had been on the steering committee for Policies for a Rising Bay who are interested in continuing to pursue this topic; and people who could provide expert advice on environmental justice policy development. We are trying to combine both of those groups.

Ms. Bennett stated: That's kind of the breakdown of the list you see. The top ones were people identified through earlier processes and the bottom half are additions that we made recently from the discussions just mentioned.

Chair Alvarado asked: So how do we define their role? When we do reach out, what are we asking them to do and for how long?

Ms. Bennett responded: One of the big things I hope that we can get from them is helping with the development of the outreach strategies and turning people out; perhaps partnering with one of these organizations to help host an event either in a community space that they identify in communities they work with and are comfortable in. They can help us identify times for meeting dates. That is a huge role that some of these groups can play.

Commissioner Pemberton asked: What it is about these processes that will make them feel it is worthwhile?

Ms. Bennett explained: That is a discussion we have been having for a while because of our limited jurisdiction and authority and the issues we can address versus the issues that are huge and pressing and very important and valid that we can't address. We haven't really gone about crafting the message exactly yet. This is a big challenge that we have.

Ms. Fiala commented: We are envisioning the outreach process taking two phases to develop. The first phase would be defining problems and setting priorities. We would review past BCDC permit approvals and if there had been environmental justice considerations in the Bay Plan, how could that project maybe have been approved differently. We want to start thinking creatively within the confines of the Bay Plan. How could we think differently about locating mitigation closer to the area of impact? You have shoreline protection and the consequences it might have on adjacent communities. We need to think about access to the Bay and recreational opportunities. We are thinking about our priority-use area designations and the historic problem of industrial businesses being located adjacent to a disadvantage community and whether there is anything we can do about that. We are trying to think broadly about everything we could do.



Commissioner Pemberton spoke about language: People are asking us for simplified language when we talk about things like priorities and plans. Many people do not know what that means so I would highlight that as an important thing in the communication of our intent. It should be clear and friendly to enhance our process of outreach.

Commissioner Vasquez added: It's the old adage; know your audience. The first thing the community is going to say is; what does that mean to me? How does this impact me? You have to be able to make that segue successfully and tell them; here is what happens.

Chair Alvarado continued: My question was, are they going to have a meaningful role? This is what you are saying in that we want their input on things versus just; we want your help with outreach.

Ms. Bennett agreed: Yes, it is almost two parts.

Ms. Fiala added: It is sort of difficult to make a policy development exciting. It will be a somewhat wonky exercise but at the start it can be broad.

Commissioner Vasquez stated: If it means something to them they will like it.

Ms. Fiala continued: The Coastal Commission is going through a similar process right now. The first entry point is, are you familiar with the Coastal Commission? Do you know about the Coastal Act? What does the coast mean to you? Starting at the broadest level and then trying to drill down into what it would actually look like to incorporate environmental justice into permit approvals.

Ms. Bennett continued the conversation: I think it is two parts. The first part is helping us connect with the communities and with the outreach. When we drafted some of these folks they have been involved in other environmental justice policy projects or processes with other groups. If they are interested and have the time and capacity they could help us.

Mr. Goldbeck added: And some of these folks have been involved early on in the Policies for a Rising Bay process and they understand this quite well and are engaged. It was interesting because early on in those – on the other hand they take the other side from; what can you do for us? Why do we care? They wanted us to do things that we could not do because we are this powerful state agency. You know, so fix the toxic sites. Fix these issues. There was some, well – you know, we actually don't have the authority to do any of that. We need to be really clear to folks on both sides of what we can do and what is at play here and also let them know what we can't do so the people don't say, you wasted my time. The folks who were involved were very interested in continuing to work with us on this. My guess is some folks will.

Commissioner Vasquez commented: It is about filling them with excitement. I try to explain to them that this is important and you should know about it. A response has been, that's your job. I'm not supposed to worry about that stuff.

Mr. Goldbeck continued: The other thing we're struggling with is a potential issue we have discussed in-house. A lot of the agencies are doing this right now in the region and we are a little concerned that there is going to be agency, environmental justice fatigue. People will say, well – I just talked with the Air Board and now right behind me is somebody else. To the extent that we can combine some of these efforts we can minimize them feeling that they are serially being called up to talk about the same thing with a new set of faces. We will try to do this to the extent that we can. On the last point is that some of these other folks are actually paying for folks' time because it is hard if you have a job and you have kids; you have to provide child care to be able to come to meetings and attend. Some agencies have actually been providing stipends to help people do that. We don't have those funds so we are not going to be able to do that.

Ms. Bennet continued: The hope is to pair up with some of the work that the ART team has underway as well as the Air District's engagement work going on as well right now. Hopefully we can piggyback with some of these other efforts.

Chair Alvarado had a question: How many actual meetings would you foresee like convening with them?

Ms. Fiala replied: We definitely want to try to define the problem, set the priorities and then draft the solutions together. We certainly want to have at least two meetings and then it would make more sense to have an initial draft and then another draft to make sure that we have gotten it right. I think at least three meetings are in order.

Chair Alvarado continued: If we are going to convene all of them is there an interest in making this small and tight or broad and expansive? This is what I am trying to figure out.

Ms. Bennett responded: This is something that we have talked about and it went back to how it started to be crafted last summer. It was an open call of the folks who were involved in the previous processes and who was interested. Do we want to go that route again? Do we want to reach out to people individually? It is up for discussion.

Commissioner Vasquez commented: I was thinking about the staff commitment. It is easy for us to pile on and say we want this and that but I don't have to do the work. I am considerate of the time and how it plays out. If we accept that this is what we are going to do where would those things fit in?

Chair Alvarado asked: So what do you think about convening this advisory group? Any thoughts about, big, small or do it one-on-one or use some other way?

Commissioner Pemberton chimed in: Well, there are pros and cons. Having a big group you get to hear everybody but sometimes it is hard with a lot of people at once. It should be quality over quantity, but I honestly don't know how best to approach convening the groups. I mean, are we going to have a mailing list or a contact list? This is a mechanism and are we

going to be inviting everyone? Or will it be a combination of that and then smaller meetings and discussions with more focus? There might be an umbrella, environmental justice – more oriented towards neighborhood, community-type groups.

Commissioner Vasquez commented: If you look at the indicators on the last slide – renters, over 75, low and without a vehicle, communities of color, housing costs; I mean, will we look for groups that might fit some of those or an accommodation of all of those?

Commissioner Pemberton asked: Will the meetings be during the work day?

Ms. Bennett explained: Our hope is that having discussions with some of these folks will identify where are the best locations to have meetings? What are the best times for this? These groups are broader groups and then there are individual community groups. Most of these groups that we have listed here are these broader groups who have given some input on policy. A couple of them are coalitions or consortium groups of smaller community groups. We might want to have one-on-one conversations with these folks about how best to have larger public discussions and then maybe asking them if they would want to meet or be a part of a regularly meeting advisory committee.

Commissioner Vasquez had a question: In outreach is it five meetings or six meetings in different areas?

Ms. Fiala replied: We are hoping to leverage the ongoing effort that is happening on the other side of the planning division which is our Adapting to Rising Tides Bay Area Project. Through that process which is looking at the vulnerability of disadvantaged communities there will be public workshops in about four communities that will be identified through a series of criteria. We are hoping to piggyback on efforts like that to get input from the public on defining the problems and setting priorities and working through the draft solutions. We also have explored piggybacking on our regional partners outreach efforts like MTC. In advance of the next iteration of Plan Bay Area they have a huge outreach effort and they have a lot more resources and staff than we do. We have also been trying to attend some of the Resilient by Design outreach events that have been happening around the region right now. We have been trying to work with partners to combine forces. As a counter-point for you to consider with the other Bay Plan amendments that is happening right now for habitat projects we have decided not to pursue an advisory committee in-lieu of having those one-on-one conversations essentially presenting to existing groups because there are already a lot of existing groups like the San Francisco Bay Joint Venture and the San Francisco Bay Restoration Authority and so we would actually go to them and present and get their feedback at those existing venues rather than convening a separate advisory committee in support of that amendment.

Chair Alvarado commented: I guess that is the question of reaching out to them in another manner only because of the timeframe. They really won't have the opportunity to act as a real advisory committee to us. It is a very defined, short-term role. I wonder if that is over-selling it to them and maybe they will feel like they will have more opportunity to influence the whole process. I just don't want to give people a false impression.

Ms. Fiala agreed: Yes, and it might just be cultivating relationships one-on-one with these folks and asking their opinions about what their groups or the groups that they represent for some of these coalitions about how best to do outreach. How do we reach some of the groups that they represent and also maybe their opinions on policy issues?

Chair Alvarado added: Or maybe they could help us craft a survey tool as well because that can go really broad beyond just one meeting.

Ms. Fiala stated: Another thing for you to consider is the Coastal Commission is having one-on-one interviews over the phone because they are working with the whole state and they don't have the staff resources to actually go to people. They have been having a series of phone interviews.

Ms. Bennett added: The main thing we want to retain is that whatever we do create is reflected in what these communities have identified as issues that they care about. How best to do it in the timeframe is complicated.

Mr. Goldbeck chimed in: That is the balance, right? The last thing that you want to do is to have an environmental justice process that you go through that they didn't feel like they were able to be heard and have input into. So trying to balance those things is going to be challenging in the timeframe that we have.

Chair Alvarado asked: Do we know what we want to ask the communities? Do we have a list of questions that we are trying to get feedback on?

Ms. Bennet replied: We haven't gotten there yet. We have some models of different facilitation activities that I have done in other aspects of my life that could be applicable to this, but we haven't gotten into the specifics of questions yet.

Chair Alvarado continued: What do we want to know? I was hoping we would have something on that.

Ms. Fiala replied: I think that we want to confine the conversation to the aspect of the Bay Plan that already exist but also one option through this Bay Plan Amendment process that we could add a new chapter to the Bay Plan regarding environmental justice but obviously it would have to be tied to our statutory authority which is essentially enforcing maximum, feasible, public access in the shoreline band.

We could ask questions around preferences regarding public access and recreation, questions around adjacent industrial uses and other similar questions.

Ms. Bennett added: But also with starting to bring people in we could ask, what does the Bay mean to you? Why do you use the Bay? Do you interact with the Bay? How does the Bay fit into your lifestyle? Starting there and doing a really good job about explaining who we are and what we do and this is our authority is a vital step.

Chair Alvarado asked: Are we asking those envisioning questions through other processes? Or have we asked these questions in the past?

Mr. Goldbeck replied: We are just starting.

Ms. Bennett added: MTC is doing that kind of work right now with their Horizons Program.

Commissioner Pemberton inquired: Is there a great, big document or a small, one-page document?

Ms. Bennett responded: I don't have it with me right now but I do have one.

Ms. Bennett added: We are developing one which is essentially: what is BCDC, what is the Bay Plan, why are we amending it for environmental justice and how can you be involved.

Ms. Fiala stated: I will mail it to you.

Chair Alvarado added: So maybe we can look through that next time. In the meantime, if there are other names that anyone wants to add it might be helpful; we don't necessarily have to remove stuff, right?

Ms. Bennett replied: No.

Chair Alvarado continued: Okay.

Ms. Bennett added: Any suggestions or other folks or different folks at some of these organizations, other organizations that we could reach out that we don't have a contact for – all this would be helpful.

Chair Alvarado suggested the following: I was thinking about the Greenbelt Alliance, Save the Bay and the Amah Mutsun tribe in San Jose have been super active with land use stuff. They have a dedicated area for tribal ceremonies that was permanently provided an easement by the Open Space Authority. It was an incredible deal. They are one of the Ohlone tribes.

Commissioner Pemberton added: We have worked with the Leadership Counsel. They are pretty active on environmental justice issues throughout the state.

Chair Alvarado continued: What would be helpful would be if you could put if some of these are more local and the others are regional or statewide. And of course, you said that the coalitions represent a lot of the smaller groups. Should we look at the timeline and the meeting schedule?

Commissioner Pemberton chimed in: I thought we could be flexible with the meeting schedule.

Chair Alvarado asked: Is there anything else that you need from us either today or between now and May 3<sup>rd</sup>?

Ms. Bennett asked: Are there any comments on the draft work plan? We talked about it a bit. Most of it we talked about in the presentation. If there is anything glaring we would want to get input from you on that.

Chair Alvarado asked: Is it doable?

Ms. Fiala stated: We are moving through phase II. We are gearing up for the external outreach portions.

Mr. Goldbeck chimed in: This is a very aggressive schedule. We could have started earlier and at the time everybody who testified about this and the Habitat Bay Plan Amendment were saying, well, why did it take so long? Why can't we just get this done?

There is a lot of process with the Bay Plan Amendment totally apart from the substance of this and so that is what we answered. But then we had these staffing changes that have put us even farther back. What Larry and Zack have told me is that they would like us to be aspirational and try to meet this. If we don't meet it, then there is nothing – no funding that we are working on goes away because we don't have a lot of special funding. My point is that we can push later if we want to but if we could make it that would be great.

**3. A Discussion of Future Meeting Topics and Schedules.** Commissioner Vasquez had a suggestion: I think that ought to be on the agenda every month. We can still make the timeline and start thinking about completing our tasks.

Commissioner Pemberton added: Maybe at the next meeting we will have more information and feedback about how it is going and how best to move forward. We will know better then if the timeline is realistic or not.

Mr. Goldbeck offered another perspective: Another way to look at it is there has been a lot of work done and the policies through A Rising Bay and the ART projects that we can build upon. And other agencies are doing work that we can build on.

Commissioner Vasquez agreed: That is an important point because it is not just when we get done with it someone is always going to criticize us and we can say, no – here's the efforts that went into it. Here is what other folks have done and we have worked off of that. We didn't reinvent the wheel.

Mr. Goldbeck continued: As we get into it we will have a little better idea as to whether certain things are doable or not.

Chair Alvarado agreed: I think you are right. This is a living document and this is the first attempt at this. So, let's charge ahead and see how we do. I feel there is a lot that we have to get through at our next meeting.

Ms. Fiala continued: If we go ahead and send out updates maybe you could comment before you left. We will have the updates after this.

Commissioner Pemberton asked: Should we expect emails or just between now and May just contact us as necessary or what?

Ms. Fiala replied: What I have heard from you is that next time you would like to see the comparison maps for our regional partner agencies which are feeding into refining the definition of environmental justice for BCDC. We can also bring the flyer that we have developed and then we will also add the timeline check-in to the agenda as a standing item.

Chair Alvarado added: And also survey questions as to what kind of feedback we are asking for.

Ms. Fiala agreed: Of course, yes. It would be nice to get resolution on the advisory committee if that is possible. I don't know that we can get there in the time that we have left because our next step is to reach out to them. I am not sure and clear on how you think we should do that. I don't know if we should have one.

Chair Alvarado had a suggestion: I don't think we should do it until after the next meeting only because we should get clear on what we are asking them and then the one-pager. I think we need to go with any invitation.

Ms. Bennett asked: I feel like I want to start having one-on-one conversations just exploring – this is what we are doing.

Commissioner Pemberton added: I say, go forward.

Commissioner Vasquez agreed: Yes, go forward.

Ms. Fiala added: At the next meeting we can also summarize some of the background research that we have been doing which will reflect the conversations that we have been having with other state agencies and other regional agencies. We can set you up for the subsequent conversations around draft policy changes.

Chair Alvarado asked: Any other thoughts or questions or feedback? (No comments were voiced) .

**4. Public Comment.** There were no public comments.

**5. Adjournment.** There being no further business, Chair Alvarado adjourned the meeting at 12:24 p.m.